

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CEDRIC DIXON)
)
v.) NO. 3-14-1214
) JUDGE CAMPBELL
DARON HALL, et al.)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 135), Objections filed by the Plaintiff (Docket No. 140), and a Response filed by Defendants (Docket No. 142).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, the Response and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Nothing in Plaintiff's Objections changes the Magistrate Judge's finding that Defendants Hall and Young cannot be liable on a theory of *respondeat superior* or that there is no constitutional claim for medical malpractice or negligence. Plaintiff received medical attention; he just does not agree with the choices made by the health care providers with regard to him. Moreover, nothing in Plaintiff's Objections changes the Magistrate Judge's finding that Plaintiff's Motion to Amend would be futile, given the above findings.

Accordingly, the Motions to Dismiss filed by Defendants Hall and Young (Docket Nos. 25 and 55) are GRANTED, and all claims against Defendants Hall and Young are DISMISSED. All

claims against Defendant Burns are DISMISSED for failure to state a claim. Plaintiff's Motion to Amend (Docket No. 134) is DENIED. All other pending Motions are DENIED as moot.

This action is DISMISSED, and the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

Todd Campbell
TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE